

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 16-CV-00664-WJ-WPL

No. 13-CR-02624-WJ

PHILLIP NAPOLEAN CONTRERAS,

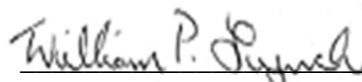
Defendant.

**ORDER**

In light of the Supreme Court's ruling in *Beckles v. United States*, 580 U.S. ---, No. 15-5844 (Mar. 6, 2017) (slip op.), I lifted the stay in this matter and ordered the parties to submit a joint statement identifying the issue or issues that remain for determination after *Beckles*. (Doc. 13.) The parties timely filed their joint statement and agree that Contreras maintains an argument that he is not an Armed Career Criminal in light of *Johnson v. United States*, 576 U.S. ---, 135 S. Ct. 2551 (2015). (Doc. 14.) The parties request that I enter an order setting a schedule for supplemental briefing.

Accordingly, no later than **April 12, 2017**, Contreras will file an amended petition, pursuant to *Johnson* and 28 U.S.C. § 2255, detailing his argument that he no longer qualifies as an Armed Career Criminal. The United States will file its response, if any, no later than **May 3, 2017**. Contreras may then file a reply, if any, no later than **May 17, 2017**.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE